IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE**

**and**
**THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY**

**WRIT PETITION NO : 2978 of 2005**

Between:

P.L.Varaprasada Rao, S/o Chinna Venkaiah

aged 65 years R/o 9th Lane, Syamala Nagar

Guntur, Guntur District.

**..... PETITIONER**

AND

1. The State Bank of Hyderabad

represented by its General Manager

Gunfoundry, Hyderabad.

2. The State Bank of Hyderabad

represented by its Authorised Officer

Regional Office, Vijayawada

Krishna District.

3. The State Bank of Hyderabad

represented by its Branch Manager

Arundalpet Branch, Guntur,

Guntur District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, writ or writs, particularly one in the nature of Writ of Mandamus and declare the action of the respondents in auctioning the petitioner's property bearing House No. 2-14-117, VIIIth line, Syamala Nagar, Guntur under sub-section 8 of Section 13 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 as illegal, arbitrary and consequently direct the respondents to accept the loan amount from the petitioner and cancel the auction held on 16-02-2005.

**Counsel for the Petitioner: Mr.K.L.N.SWAMY**

**Counsel for the Respondents: -----**

**The Court at the stage of admission made the following :**

**ORAL JUDGMENT:**

(per Honourable Sri Devinder Gupta, the Chief Justice)

The petitioner has got efficacious alternative remedy of approaching the Recovery Officer, and, in case, would feel aggrieved by the orders to be passed by him, has a remedy of filing appeal against the said order. The Writ Petition, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

18.2.2005.

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B.SESHASAYANA REDDY, J.

VR.

To

1. The General Manager, State Bank of Hyderabad,

Gunfoundry, Hyderabad.

2. The Authorised Officer, State Bank of Hyderabad ,

Regional Office, Vijayawada

Krishna District.

3. The Branch Manager, State Bank of Hyderabad,

Arundalpet Branch, Guntur,

Guntur District.

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